

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A peripheral device connected to a network comprising:
- a device judgment unit that judges whether another peripheral device, that is a same type as the peripheral device, is connected to the network;
  - a transmission unit that performs transmission and reception of data over the network to and from the another peripheral device;
  - a memory that stores a software program ~~to be~~ in a rewritable manner, the software program being software used by the peripheral device for executing prescribed operations;
  - a type judgment unit that judges whether the another peripheral device stores, in a rewritable manner, a same type of software program as the software program stored in the memory, the same type of software program being software to be used by the another peripheral device for executing prescribed operations;
  - an old/new judgment unit that, when the device judgment unit judges that another peripheral device is connected to the network and the type judgment unit judges that the another peripheral device stores the same type of software program in a rewritable manner, judges which of the same type of software program stored in the another peripheral device and the software program stored in the memory is at least one of older and newer; ~~and~~
  - a first rewrite unit that, when the old/new judgment unit judges that the same type of software program stored in the another peripheral device is older than the software stored in the memory, rewrites the same type of software program stored in the another peripheral device into the software program stored in the memory; and

a second rewrite unit that when the old/new judgment unit judges that the same type of software program stored in the another peripheral device is newer than the software stored in the memory, rewrites the software program stored in the memory into the same type of software program stored in the another peripheral device.

2. (Canceled)

3. (Previously Presented) A peripheral device as claimed in claim 1, wherein the type judgment unit performs judgment for all other peripheral devices connected to the network; and the old/new judgment unit performs judgment on the all other devices that are judged to store the same type of software program by the type judgment unit.

4-5. (Canceled)

6. (Currently Amended) A network system comprising:

a network;

a peripheral device connected to the network; and

another peripheral device connected to the network and having a memory that stores, in a rewritable manner, a software program to be used by the another peripheral device for executing prescribed operations, the peripheral device comprising:

a transmission unit that performs transmission and reception of data over the network to and from the another peripheral device;

a memory that stores a software program in a rewritable manner to be used by the peripheral device for executing prescribed operations;

a type judgment unit that judges whether the another peripheral device stores a same type of software program as the software program stored in the memory of the peripheral device;

an old/new judgment unit that, when the type judgment unit judges that the another peripheral device stores the same type of software program in a rewritable

manner, judges which of the same type of software program stored in the another peripheral device and the software program stored in the memory of the peripheral device is at least one of older and newer; ~~and~~

a first rewrite unit that, when the old/new judgment unit judges that the same type of software program stored in the another peripheral device is older than the software program stored in the memory of the peripheral device, rewrites the same type of software program stored in the another peripheral device into the software program stored in the memory of the peripheral device; and

a second rewrite unit that, when the old/new judgment unit judges that the same type of software program stored in the another peripheral device is newer than the software program stored in the memory of the peripheral device, rewrites the software program stored in the memory of the peripheral device into the same type of software program stored in the another peripheral device.

7. (Canceled)

8. (Previously Presented) The network system as claimed in claim 6, wherein the type judgment unit performs judgment for all other peripheral devices connected to the network; and the old/new judgment unit performs judgment on all other peripheral devices that are judged to store the same type software program by the type judgment unit.

9. (Previously Presented) The network system as claimed in claim 6, wherein at least one of the peripheral device and the another peripheral device includes a rewrite prevention unit that prevents rewrite of the software program stored in the memory of at least one of the peripheral device and the another peripheral device, and wherein the first rewrite unit or second rewrite unit does not rewrite the software program that the rewrite prevention unit prevents the rewrite of.

10-11. (Canceled)

12. (Currently Amended) A memory medium storing programs comprising:

a first program of judging whether a peripheral device connected to a network stores, in a rewritable manner, the same type of software program as a software program stored, in a rewritable manner, in a reference memory accessible through the network;

a second program of judging which of the same type of software program stored in the peripheral device and the software program stored in the reference memory is at least one of older and newer when the peripheral device is judged to store the same type of software program in a rewritable manner; ~~and~~

a third program of rewriting the same type of software program stored in the peripheral device in the manner of the software program stored in the reference memory when the same type of software program stored in the peripheral device is judged to be older than the software stored in the reference memory; and

a fourth program of rewriting the software program stored in the reference memory into the same type of software program stored in the peripheral device when the same type of software program stored in the peripheral device is judged to be newer than the software stored in the reference memory.

13. (Canceled)

14. (Original) The memory medium as claimed in claim 12, wherein the first program judges for all other devices connected to the network; and the second program performs judgment on all other devices that are judged to store the same type software program by the first program.

15-16. (Canceled)

17. (Currently Amended) A printer connected to a network comprising:

a device judgment unit that judges whether another printer is connected to the network;

a transmission unit that performs transmission and reception of data over the network to and from the another printer;

a memory that stores a in a rewritable manner, firmware to be used by the printer for executing prescribed operations;

a type judgment unit that judges whether the another printer stores, in a rewritable manner, a same type of firmware as the firmware stored in the memory;

an old/new judgment unit that when the device judgment unit judges that the another printer is connected to the network and the type judgment unit judges that the another printer stores the same type of firmware in a rewritable manner, judges which of the same type of firmware stored in the another printer and the firmware stored in the memory is at least one of older and newer in version; ~~and~~

a first rewrite unit that when the old/new judgment unit judges that the same type of firmware stored in the another printer is older in version than the firmware stored in the memory, rewrites the same type of firmware stored in the another printer to the firmware stored in the memory; and

a second rewrite unit that when the old/new judgment unit judges that the same type of firmware stored in the another printer is newer in version than the firmware stored in the memory, rewrites the firmware stored in the memory into the same type of firmware stored in the another printer.

18-19. (Canceled)

20. (Previously Presented) A peripheral device as claimed in claim 1, wherein the device judgment unit judges whether the another peripheral device is connected to the network when the peripheral device is first connected to the network.

21. (Previously Presented) A peripheral device as claimed in claim 1, wherein the device judgment unit determines that the another peripheral device is the same type as the peripheral device based on device information about the another peripheral device.

*Cancel*  
22-23. (Canceled)

24. (Currently Amended) A printer as claimed in claim ~~19~~17, wherein the device judgment unit judges whether the another printer is connected to the network when the printer is first connected to the network.

25. (Currently Amended) A printer as claimed in claim ~~19~~17, wherein the device judgment unit determines that the another printer is the same type as the printer based on device information about the another printer.

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